

Date of Hearing: February 4, 2008

Committee: Senate Education

Department: Education

Person Testifying: Patricia Hamamoto, Superintendent

Title: S.B. No. 2138, Relating to Education

Purpose: Appropriates funds for special education and early intervention services provided by private sector or county programs through a grant pursuant to chapter 42F, HRS.

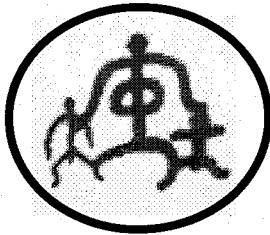
Department's Position: The Department of Education (Department) does not support S.B. 2138 which appropriates funds for special education and early intervention services provided by private sector or county programs through grants-in-aid to the various counties.

For 3 to 5 year old children with disabilities, special education and related services are provided based on each child's individualized education program at no cost to the parent. It is a state responsibility not only to develop and provide services, but to ensure the qualifications of service providers and compliance with all federal and state regulations.

Grants-in-aid provide limited annual funding dependent on funding by the legislature and may not be available for all children. There would be no mechanism to ensure that children receive a free appropriate public education.

While the Department agrees that it is important for 3 to 5 year old children with disabilities to participate in programs and settings with their typically developing peers, this should be addressed within the larger context of the state's Early Learning Initiative and not as a stand-alone grants-in-aid program.

Because this bill proposes an isolated piecemeal approach to service provision and appears to be in violation of the Individuals with Disabilities Education Act, the Department stands in strong opposition to S.B. 2138.



HAWAI'I EARLY INTERVENTION
COORDINATING COUNCIL

1350 South King St. Suite 200 Honolulu Hawai'i 96814

DATE: January 30, 2008

TO: COMMITTEE ON EDUCATION
Senator Norman Sakamoto, Chair
Senator Jill N. Tokuda, Vice Chair

FR: Leolinda Parlin, Chair, Hawai'i Early Intervention Coordinating Council

RE: SB 2138 RELATING TO EDUCATION

On behalf of the Hawai'i Early Intervention Coordinating Council (HEICC), I submit this testimony in **opposition** of SB 2138, which appropriates funds for special education and early intervention services provided by private sector or county programs through a grant pursuant to chapter 42F, HRS.

The HEICC is the federally mandated advisory in Hawai'i for the services and programs defined in Part C of the Individuals with Disabilities Education Act. As this bill bundles together both special education and early intervention (EI) services, our testimony focuses on the EI pieces although one could generalize our concerns across programs.

There is no need for this legislation as private sector or public county based programs are welcome to become Early Intervention providers. The Department of Health contracts with many providers across the state and as part of the procurement process holds RFI and bidders conferences to assist interested providers in participating with the program.

Our early intervention system of care is taxed already to provide mandated services to children we are obligated to serve. Any appropriation to provide "EI-type" services should be made directly to the Department of Health to insure funds are available to meet our federal obligation. It is not clear what population of children would be served under this bill –is it all children, of all ages with disabilities, who could benefit from special education and early intervention services? If these include children ages 0-3, it would be unfair to require the Department of Education to fund additional programs to serve children for whom the Department of Health has responsibility.

It is not clear what this bill is trying to accomplish that cannot be accomplished within the current infrastructure of the state.

Thank you for your time and consideration in hearing our opposition.

